

**THE PLANNING BOARD  
TOWN OF FRANCESTOWN, NEW HAMPSHIRE**

March 6, 2012  
**MINUTES**

Planning Board Members Present: Arnold, Kunhardt, Lindgren, Tartalis, Tolman.  
Members of the Public Present: Dan O'Grady, applicant

The meeting was brought to order at 7:05 pm. Lindgren took the minutes.

**Public Hearing – Site Development Application – Crotched Mountain Golf Club  
(Continued from 2/21/12)**

Chairman Lindgren asked Tartalis to continue as acting Chair for this case, as Lindgren was out-of-town for the 2/21 meeting when the application review began.

Applicant O'Grady presented the three changes requested at the 2/21 meeting: showing on the plat that the doors are to be opening out, showing the current versus final grade elevations, and showing the erosion control plan on the plats.

Lindgren stated that he and other members of the Conservation Commission had attended the ZBA site walk and discussed the application during the Commission's meeting the first week in December. The Commission determined that the stream running alongside the proposed facility does seem to be a perennial stream; however, it is not a listed stream in the Master Plan and is therefore not subject to restrictions (such as setback requirements) in the shoreland and other conservation overlay districts. The Conservation Commission recommended that appropriate erosion and siltation control measures be followed during construction (in accordance with current Best Management Practices) to protect the stream.

Kunhardt asked if the applicant could provide proof of the adequacy of the septic system for the proposed change of use. She said that septic systems are designed with a certain use in mind, and the application states that because the current use is not at capacity, it would suffice for additional restaurant usage. However she said that that does not include the additional restaurant flowage expectations resulting from the addition, and that restaurant usage usually requires a larger septic system and a new permit from DES. She said she would like to see documentation from DES approving the change in use, and without that she believed that the town could be liable for a lawsuit if the system failed.

O'Grady stated that there was no change of use being proposed – just an increased maximum seat count. The facility was approved for a 119 seat count, and the application requests increasing that to a maximum of 240 seats. He noted that the facility would be unlikely to even approach that higher usage more than a few times during the year, with most events likely to be scheduled during the summer.

O'Grady also pointed out that there is no "septic system" involved, but rather a complete sewage treatment facility utilizing filtering and chlorination of the effluent. There is no traditional "septic system" to clog up; instead, the capacity of the sewage treatment facility is determined by the amount of storage available in the three storage lagoons. When the storage lagoons begin to fill, the effluent is spread as fertilizer on the golf course. This whole system has been operating successfully for twenty years, is fully permitted, is monitored with reports sent to DES on a monthly basis, is re-permitted by the DES every four years, and has a very large theoretical capacity which has never been approached in actual usage. He said that monitoring reports show that usage has never even approached 60% of system capacity, and that when that happens, they just empty out the lagoons and spray it on the course. He said that the lagoons essentially provide about two years worth of storage capacity. He said that he had no concern about any increase in usage due to an increase in the number of banquets the facility would be able to hold, and he did not see why any additional DES permitting or approval would be required.

O'Grady said that Shell Vacations (SVC), the maintainer of the condos, holds the "Discharge Permit" and that the Crotched Mountain Golf Club LLC has a deeded easement right to use the sewage treatment facility. Lindgren asked if he could see a copy of that deed. O'Grady said that it was posted in the Hillsborough County Registry of Deeds, and he would be happy to provide the Board with a copy. He said that the golf course can essentially use an unlimited percentage of the sewage treatment facility's capacity, and that the agreement states that the golf course will pay annually for their share of the usage, on a prorated basis.

Tolman asked O'Grady to clarify how much the flowage would increase as a result of the new facility construction. O'Grady said they anticipate around a 12-15% increase in the flow rate.

Arnold asked if there was a staff engineer running the system. O'Grady said that they have a consultant, who is a local engineer, who monitors the system and generates the monthly reports.

Kunhardt said that by increasing the number of seats from 119 to 240, they were essentially doubling the restaurant use. She questioned whether that would not increase the pre-treatment requirements, for example the required capacity of the grease trap, and did not think that the pre-treatment requirements were being adequately addressed. O'Grady stated that when the grease trap gets full, they have a local guy come pump it out for \$71 – otherwise it would back up. It would not affect the sewage treatment facility.

Arnold suggested they ask DES for an opinion. Kunhardt offered to contact DES and talk with them to see if the applicant would need to address additional permitting for the increase in volume, or to follow any additional pre-treatment requirements.

Lindgren suggested that the Board could include a DES approval and a copy of the deeded easement as conditions of approval. Lindgren made a motion to approve the

application as submitted, with the following conditions: 1) delivery of a copy of the deeded right to use the sewage treatment facility, 2) notice from DES that no additional permits are required, 3) a copy of the Mylar for plat #3 for filing at the Registry of Deeds, and 4) a check for \$55 made out to Town of Francestown and a second check for \$25 made out to HCRD/LCHIP. In favor: Tolman, Lindgren. Opposed: Kunhardt, Arnold, Tartalis. The motion did not pass.

O'Grady said he would talk with DES and ask them to email Lindgren a letter stating whether further permits were required. Lindgren said he would forward that email to the Board and bring it to the next meeting for review. The hearing was continued to March 20, 2012, at 7:00 pm.

### **Other Business To Come Before the Board**

Kunhardt said that she had noticed that the Planning Board minutes notebook in the Town Clerk's office was incomplete. She also found a notebook of minutes in the Planning Board files which was even more incomplete. She made hard copies of the minutes missing from each to complete each notebook, but a number of minutes seem to be missing. Lindgren stated that the minutes are up-to-date on the town web site through 2011, but that the January and February minutes have not yet been posted. Arnold suggested asking the minutes clerk to be sure to post hard copies of each approved minutes in the Town Clerk's office, in the Planning Board notebook, and also on the town web site (send copy to Sarah Pyle).

The meeting was adjourned at 9:25 pm.

Respectfully Submitted,  
Bob Lindgren